

Message Text

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C O N F I D E N T I A L SECTION 01 OF 03 GENEVA 01290

CW MESSAGE NO. 15

E.O. 11652: GDS

TAGS: PARM UR US

SUBJECT: US-USSR CHEMICAL WEAPONS NEGOTIATIONS: SEVENTH
ROUND, DRAFTING GROUP MEETING NO. 3, JANUARY 19, 1978

1. SUMMARY: DRAFTING GROUP MET JANUARY 19. USDEL
ASKED A NUMBER OF QUESTIONS ABOUT SOVIET DRAFT PROVISIONS
ON RETENTION OF STOCKS FOR NONHOSTILE PURPOSES AND
ON DECLARATION AND DESTRUCTION OF STOCKS AND FACILITIES.
SOVIET DEL RESPONDED. END SUMMARY.

2. THIRD MEETING OF THE CHEMICAL WEAPONS DRAFTING GROUP
WAS HELD THURSDAY AFTERNOON, JANUARY 19 AT THE SOVIET
MISSION. THE USDEL ASKED A NUMBER OF QUESTIONS ON SOVIET
DRAFT ARTICLES X (RETENTION OF STOCKS) AND V, VI, VII
(DECLARATION AND DESTRUCTION OF STOCKS AND FACILITIES).
US QUESTIONS AND SOVIET RESPONSES ARE REPORTED IN DETAIL
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IN PARA 3 BELOW. USDEL HAD IMPRESSION THAT SOVIET
EXPERTS WERE AWARE OF SOME DEFECTS IN THE SOVIET DRAFT
ARTICLES.

3. US QUESTIONS AND SOVIET RESPONSES FOLLOW:

-- ARTICLE X

A. QUESTION: THE TERM "TECHNOLOGICAL" HAS BEEN ADDED IN THE PHRASE "...QUANTITIES WHICH ARE NECESSARY FOR TECHNOLOGICAL, PROPHYLACTIC, PROTECTIVE OR OTHER NON-HOSTILE PURPOSES." MAY WE ASSUME, AS INDICATED BY THE SOVIET DEL IN RESPONSE TO ANOTHER QUESTION ON JANUARY 13 THAT THE TERM AS USED HERE MEANS THE SAME AS OUR TERM "INDUSTRIAL"?

RESPONSE: IN RUSSIAN, THE TERM "TECHNOLOGICAL" IS USED WHEN REFERRING TO PRODUCTION OF CHEMICALS OR DIFFERENT KINDS OF MATERIALS FOR PEACEFUL PURPOSES. THE TERMS "TECHNOLOGICAL" AND "INDUSTRIAL" MAY BE CONSIDERED SYNONYMOUS.

B. QUESTION: AS WE UNDERSTAND THE SOVIET POSITION, IT IS THAT THE PURPOSES FOR WHICH PROHIBITED SUBSTANCES COULD BE USED WOULD BE AGREED UPON IN THE CONVENTION, BUT THAT THE TYPES AND QUANTITIES OF SUBSTANCES USED FOR WHAT YOU REFER TO AS "TECHNOLOGICAL" PURPOSES WOULD BE A MATTER FOR EACH STATE TO DECIDE FOR ITSELF. IN OTHER WORDS, WE ASSUME THAT "PURPOSES OF THE NATIONAL ECONOMY", USED IN SOVIET JANUARY 10 STATEMENT, MEANS THE SAME THING AS THE TERM "TECHNOLOGICAL PURPOSES" AND "INDUSTRIAL PURPOSES". ARE THESE INTERPRETATIONS CORRECT?

RESPONSE: THE GROUP OF ACTIVITIES TO BE ALLOWED SHOULD
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BE AGREED UPON. THE TYPES AND QUANTITIES OF SPECIFIC CHEMICALS FOR SUCH PURPOSES MUST BE DECIDED BY THE STATES THEMSELVES.

C. QUESTION: AT THE LAST ROUND BOTH SIDES TOOK THE POSITION IN THE DRAFTING GROUP THAT THE QUANTITIES OF PROHIBITED SUBSTANCES ALLOWED FOR NONHOSTILE MILITARY PURPOSES SHOULD BE AGREED UPON. IN OTHER WORDS, STATES WOULD NOT SET THEIR OWN LIMITS. THEY WOULD BE OBLIGATED NOT TO EXCEED SOME AGREED LEVEL. DURING THE LAST ROUND, THE SOVIET SIDE STATED THAT IT WOULD LOOK INTO POSSIBLE APPROACHES FOR SETTING SUCH LEVELS. WE WOULD LIKE TO KNOW IF YOU HAVE ANY SUGGESTIONS TO MAKE ON THIS PROBLEM.

RESPONSE: IT IS IMPOSSIBLE TO APPLY A SINGLE LIMIT. EACH STATE WILL HAVE DIFFERENT REQUIREMENTS BASED ON THE AREA, POPULATION, NUMBER OF TROOPS, GEOGRAPHIC POSITION AND POLITICAL CONDITIONS AT THE MOMENT. IT IS BETTER IF A STATE SETS THE LIMIT FOR ITSELF AND THEN INFORMS OTHERS, WHO WILL THEN BE ABLE TO EVALUATE WHETHER OR NOT IT IS JUSTIFIED.

D. QUESTION: WITH RESPECT TO PARA 3, ARTICLE X, THE WORDING OF THE EARLIER DRAFT APPEARS TO HAVE BEEN CHANGED FROM "LOW-CAPACITY INDUSTRIAL FACILITIES" TO "INDUSTRIAL FACILITIES OF APPROPRIATE CAPACITY." WE WOULD APPRECIATE CLARIFICATION AS TO THE REASONS FOR THIS CHANGE IN WORDING.

RESPONSE: WHEN WE PROPOSED THE TERM "LOW-CAPACITY" WE HAD NOT YET ADOPTED THE TERM "TECHNOLOGICAL PURPOSES." SINCE TECHNOLOGICAL PURPOSES MAY REQUIRE VERY LARGE CONSUMPTION OF SUCH CHEMICALS AS HYDROGEN CYANIDE OR PHOSGENE, WE CHANGED OUR FORMULATION TO "APPROPRIATE CAPACITY."

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E. QUESTION: WHAT DOES THE TERM "OTHER CAPABILITIES"

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MEAN?

RESPONSE: "OTHER CAPABILITIES" MEANS CAPABILITIES WHICH

ARE NOT ON AN INDUSTRIAL SCALE, FOR EXAMPLE, LABORATORY-SCALE CAPABILITIES.

--ARTICLE V

F. QUESTION: IN ARTICLE V, PARA 1, THE TERM "PEACEFUL PURPOSES" IS USED RATHER THAN THE TERM "NONHOSTILE PURPOSES," WHICH APPEARS ELSEWHERE IN THE DRAFT. IS IT CORRECT TO ASSUME THAT ARTICLE V, PARA 1, SHOULD ALSO REFER TO "NONHOSTILE PURPOSES"?

RESPONSE: WE PREFER "PEACEFUL PURPOSES" BECAUSE IT SOUNDS MORE SERIOUS THAN "NONHOSTILE PURPOSES".

G. QUESTION: ARTICLE V, PARA 1, USES THE TERM "COMBAT MEANS". DOES THIS TERM HAVE PRECISELY THE SAME SCOPE AS CONFIDENTIAL

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PARA (B) OF ARTICLE I?

ANSWER: YES, IT DOES.

H. QUESTION: DO THE EXCEPTIONS IN ARTICLE X APPLY ALSO TO COMBAT MEANS?

RESPONSE: YES, "COMBAT MEANS" COULD BE USED FOR FIELD EXERCISES WITH THE PARTICIPATION OF TROOPS.

I. QUESTION: THERE SEEMS TO BE A PARADOX IN ARTICLE X. IT REFERS TO CHEMICAL AGENTS SPECIFIED IN PARAS (A) AND (B) OF ARTICLE I. HOWEVER, PARA (B) DOESN'T ACTUALLY DEAL WITH CHEMICAL AGENTS.

RESPONSE: WE HAVE HAD SUCH DOUBTS, TOO. THE ONLY EXCUSE IS THAT PARA (B) DEALS WITH BINARY AND MULTICOMPONENT MUNITIONS. THIS IS A VERY, VERY WEAK CONSOLATION.

J. QUESTION: IN ARTICLE V, PARA 2, THERE IS A REFERENCE TO "INDUSTRIAL AND OTHER FACILITIES" IN WHICH MEANS OF CHEMICAL WARFARE WERE FORMERLY PRODUCED. WHAT IS MEANT BY "INDUSTRIAL" FACILITIES? WHAT IS MEANT BY "OTHER FACILITIES"?

RESPONSE: "INDUSTRIAL" FACILITIES MEANS LARGE-SCALE ENTERPRISES. "OTHER" FACILITIES ARE THOSE WHICH ARE SMALL SCALE AND NOT MECHANIZED.

--ARTICLE VI

K. QUESTION: ARTICLE VI PROVIDES FOR DECLARATION OF

PLANS FOR ELIMINATION OR DISMANTLING OF "INDUSTRIAL OR
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OTHER CAPABILITIES" FOR THE PRODUCTION OF THE MEANS OF
CHEMICAL WARFARE SPECIFIED IN ARTICLE I. WE ARE UNCER-
TAIN ABOUT THE INTENDED MEANING OF THE TERM "CAPABILITIES."

RESPONSE: "CAPABILITY" MEANS ACTUAL ABILITY TO PRODUCE
SOMETHING. IF YOU ELIMINATE THE POSSIBILITY OF PRO-
DUCTION BY REMOVING CERTAIN THINGS, THEN YOU HAVE
ELIMINATED THE "CAPABILITY" EVEN THOUGH THE WALLS AND
MOST OF THE EQUIPMENT ARE STILL THERE. THE CAPABILITY
WOULD HAVE BEEN ELIMINATED, EVEN THOUGH THE FACILITY
STILL EXISTS.

L. QUESTION: IN THE SOVIET VIEW, WOULD DECLARED PLANS
FOR DESTRUCTION INCLUDE AN EXACT LIST OF FACILITIES?

RESPONSE: THAT IS A SUBJECT FOR US TO DISCUSS.

M. QUESTION: WE WOULD ALSO LIKE CLARIFICATION OF THE
ITEMS ARTICLE VI IS INTENDED TO COVER. DOES IT REFER TO
ALL FACILITIES WHICH COULD MAKE PROHIBITED ITEMS, TO ALL
FACILITIES DESIGNED OR USED FOR THAT PURPOSE, OR PERHAPS
TO SOMETHING ELSE?

RESPONSE: IT MEANS FACILITIES WHICH ARE NOW ACTIVELY
PRODUCING ITEMS PROHIBITED UNDER ARTICLE I. "DESIGNED"
ALSO MEANS THOSE FACILITIES WHICH ARE MOTHBALLED. IT
MIGHT BE BETTER TO COMBINE ARTICLE VI AND VII TO MAKE
THIS CONNECTION CLEARER.

--ARTICLE VII

N. QUESTION: ARTICLE VII REFERS TO FACILITIES DESIGNED
OR USED EXCLUSIVELY FOR PRODUCING MEANS OF CHEMICAL WAR-
FARE. THIS IS CONSIDERABLY MORE RESTRICTIVE THAN THE
VERY BROAD FORMULATION USED IN ARTICLE VI, WHICH REFERS
TO "INDUSTRIAL AND OTHER CAPABILITIES FOR THE PRODUCTION
OF THE MEANS OF CHEMICAL WARFARE, ETC." ARTICLE VII
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APPEARS TO MEAN THAT, FOR EXAMPLE, IF A NERVE GAS PRO-

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DUCTION FACILITY HAS ALSO BEEN USED FOR ANY OTHER PURPOSE
IT WOULD NOT HAVE TO BE DISMANTLED. IS THAT THE INTENDED
MEANING? WHY HAS THE TERM "EXCLUSIVELY" BEEN USED?

RESPONSE: WE USED IT IN PLACE OF THE TERM "SINGLE-PUR-
POSE". THE QUESTION OF ELIMINATING CAPABILITIES FOR
PRODUCTION OF HYDROGEN CYANIDE SHOULD NOT ARISE. A NERVE
GAS FACILITY MIGHT BE CONVERTED, BUT THE CAPABILITY FOR
PRODUCING NERVE GAS SHOULD BE ELIMINATED.

O. QUESTION: WOULD A FACILITY THAT HAS BEEN USED TO
PRODUCE MULTICOMPONENT WEAPDNS, BUT MAY NOW BE USED FOR
SOME OTHER PURPOSE, HAVE TO BE DECLARED?

RESPONSE: THE SUBJECT OF THE DECLARATION SHOULD BE A
"CAPABILITY" WHICH IS ACTIVELY PRODUCING AGENT. ANYTHING
WHICH CAN ACTIVELY PRODUCE CHEMICAL WEAPONS SHOULD BE
DECLARED. VANDEN HEUVEL

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